

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Aug 26, 2021**

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

SAMANTHA MARIE TAINEWASHER,

Defendant.

No. 1:21-CR-02029-SAB

**ORDER GRANTING UNITED  
STATES' MOTIONS FOR  
(1) PROTECTIVE ORDER; AND  
(2) DISCLOSURE TO  
DEFENDANT WITHOUT  
UNSEALING DOCUMENTS**

Before the Court is the United States of America's Motion to Disclose to Defense Counsel but Not Unseal, ECF No. 21, and Motion for Protective Order, ECF No. 23. Both motions were filed with associated motions to expedite. ECF Nos. 22, 24. The motions were considered without oral argument and on an expedited basis. The United States is represented by Michael Ellis and Timothy Ohms; Defendant is represented by Richard Smith.

The United States requests the Court (1) enter an order for disclosure of certain sealed documents to Defendant's counsel without unsealing them and granting leave to reference the existence of said documents in Court; and (2) enter a protective order to avoid disclosure of sealed documents or otherwise sensitive information to third parties. ECF No. 21 at 2; ECF No. 23 at 2.

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**ORDER GRANTING UNITED STATES' MOTIONS FOR  
(1) PROTECTIVE ORDER; AND (2) DISCLOSURE TO DEFENDANT  
WITHOUT UNSEALING DOCUMENTS \*1**

1 The United States indicates that Defendant's counsel did not object to either  
2 the proposed disclosure order or protective order. ECF No. 23 at 1 n.1; ECF No. 21  
3 at 1 n.1.

4 The Court finds good cause for the case materials listed in the United States'  
5 Motion to Disclose, ECF No. 21, to remain sealed. It also finds good cause to enter  
6 a protective order because certain documents concern sensitive information of a  
7 third-party juvenile. Accordingly, the Court grants both motions.

8 Accordingly, it is **HEREBY ORDERED**:

9 1. The United States' Motion to Disclose to Defense Counsel but Not  
10 Unseal, ECF No. 21 and associated Motion to Expedite, ECF No. 22, are  
11 **GRANTED**.

12 2. The materials listed in the United States' Motion to Disclose, ECF  
13 No. 21, shall remain sealed, but may be provided to Defendant's counsel. The  
14 United States may redact the identities and activities of individuals it anticipates  
15 may yet be charged from documents prior to making them available to Defendant's  
16 counsel. An attorney for the United States and/or any witness appearing in court  
17 (including the U.S. Magistrate Court, U.S. District Court, and the U.S. Court of  
18 Appeals for the Ninth Circuit) in any hearings related to this case are authorized to  
19 make open-court and/or closed-court references to the existence and/or content of  
20 such sealed documents. Counsel appointed or retained to represent the Defendant  
21 in this case is authorized to make open-court and/or closed-court references to the  
22 existence and/or contents of such sealed documents. Any future pleadings that  
23 reference the contents of materials listed in the United States Motion to Disclose,  
24 ECF No. 21, shall be filed under seal.

25 3. The United States' Motion for Protective Order, ECF No. 23, and  
26 associated Motion to Expedite, ECF No. 24, are **GRANTED**.

27 4. The United States shall provide discovery materials on an on-going  
28 basis to Defendant's counsel. Defendant's counsel may possess, but not copy

**ORDER GRANTING UNITED STATES' MOTIONS FOR  
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WITHOUT UNSEALING DOCUMENTS \*2**

(excluding production of necessary working copies), all discovery materials. Defendant's counsel shall not provide original or copies of any discovery materials to the Defendant; this is meant to include verbatim, or close to verbatim, recitations of discovery produced to Defendant's counsel. Defendant's counsel shall not otherwise provide original or copies of the discovery material to any other person, including subsequently appointed or retained counsel for Defendant, but excluding any staff of counsel, investigator, and/or expert engaged by Defendant's counsel, who will also be bound by the terms and conditions of this protective order. An attorney for the United States, Defendant's counsel in this matter, and/or any witness appearing in Court in any hearings related to this case are authorized to make open-court and/or closed-court references to the existence and/or content of such relevant sealed documents; provided that any written reference to the content of the protected discovery shall be filed under seal.

**IT IS SO ORDERED.** The District Court Clerk is hereby directed to enter this Order and provide copies to counsel.

**DATED** this 26th day of August 2021.



A handwritten signature in blue ink that reads "Stanley A. Bastian". The signature is fluid and cursive, with a horizontal line drawn underneath it.

Stanley A. Bastian  
Chief United States District Judge